

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

TERRY BAIN

VS.

CIVIL ACTION NO. 1:07CV227-MPM-DAS

MICHAEL J. ASTRUE,  
Commissioner of Social Security

**ORDER**

Upon consideration of the file and records in this case, the court finds that the Report and Recommendations of the United States Magistrate Judge dated February 12, 2009, was on that date duly filed and the parties notified; that more than ten days have elapsed since notice of said Report and Recommendations; and that no objection thereto has been filed or served by any party. The court is of the opinion that the Report and Recommendations should be approved and adopted as the opinion of the court.

It is, therefore, **ORDERED:**

1. That the Report and Recommendations of the United States Magistrate Judge dated February 12, 2009, be, and it is hereby, approved and adopted as the opinion of the court, and that the proposed findings of fact and conclusions of law therein set out be, and are hereby, adopted as the findings of fact and conclusions of law of the court.

2. That the final decision of the commissioner be, and it is hereby, remanded for findings consistent with the opinion of this court.

SO ORDERED, this, the 13<sup>th</sup> day of February, 2009.

**/s/ MICHAEL P. MILLS**  
**CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF MISSISSIPPI**